

MEMO ENDORSED

## LEVENTHAL &amp; KLEIN, LLP

ATTORNEYS AT LAW

45 MAIN STREET, SUITE 820  
BROOKLYN, NY 11201

T (718) 722-4100

F (718) 222-2889

JASON LEVENTHAL, JR.

BRETT H. KLEIN

ALISON E. GUGEL

USDC SDNY

DOCUMENT

ELECTRONICALLY FILED

DOC #

DATE FILED: 9/7/07

60 BAY STREET, SUITE 701

STATEN ISLAND, NY 10301

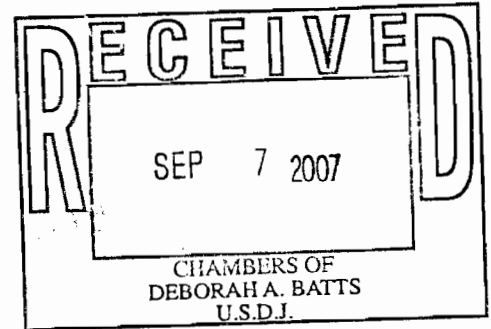
(718) 556-9600

September 6, 2007

MEMO ENDORSED

BY HANDThe Honorable Deborah A. Batts  
United States District Judge  
500 Pearl Street, Room 2510  
New York, New York 10007Re: *Donnell Taylor v. City of New York et al.*,  
07 CV 4129 (DAB)

Your Honor:



I represent the plaintiff in the above-referenced civil rights action. This letter is written in response to the Court's Order dated August 27, 2007, directing the plaintiff to inform the Court of what efforts he is making to identify Defendants John Doe and Jane Doe ##1-10, individually and in their official capacities.

On September 4, 2007, defense counsel provided the names of plaintiff's arresting officer and a sergeant involved in the incident. Based on this information, plaintiff is prepared to amend the complaint to add these NYPD employees. In that regard, we have obtained Mr. Pollack's consent to the proposed amended pleading.<sup>1</sup>

GRANTED  
/DAB/

Accordingly, plaintiff is prepared to amend the complaint immediately. With respect to the scheduling of a conference pursuant to Rule 16, the parties will be prepared to proceed upon notification of a date that is convenient for and deemed appropriate by the Court.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in cursive script that reads "Brett H. Klein".

Brett H. Klein (BK4744)

SO ORDERED

A handwritten signature in cursive script that reads "Deborah A. Batts".

DEBORAH A. BATTS  
UNITED STATES DISTRICT JUDGE

<sup>1</sup> It is our understanding that there were several NYPD officers at the scene of the incident. However, we will be unable to ascertain their identities without the assistance of defense counsel and/or discovery. We mention this because it is conceivable to plaintiff that a second amended pleading may be necessary if plaintiff were to amend now with the two names that have been provided to date.

MEMO ENDORSED

MEMO ENDORSED